

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	
	)	
v.	)	Docket No. 18-CR-10391-RGS
	)	
DEREK SHEEHAN,	)	
	)	
Defendant.	)	

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GOVERNMENT’S MOTION FOR RULING, OR, IN THE ALTERNATIVE, HEARING ON  
GOVERNMENT’S *MOTION IN LIMINE* TO ADMIT EVIDENCE OF DEFENDANT’S  
OTHER CRIMES OF CHILD MOLESTATION PURSUANT TO RULES 414 AND 404(b)

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Now comes the United States of America, by and through Assistant U.S. Attorneys Anne Paruti and Charles Dell’Anno, and respectfully moves this Court for a ruling (or, in the alternative, a hearing) on its *Motion in Limine* to Admit Evidence of Defendant’s Other Crimes of Child Molestation Pursuant to Rules 414 and 404(b) [Doc. 108]. The government filed its motion on June 3, 2021. The defendant has not filed an opposition, which would have been due on or before June 17, 2021. *See* LR 7.1(b)(2).

Because the Court’s ruling on the instant motion will determine a) whether Minor A will be questioned during his testimony about a sexual assault that is not charged in this indictment, and b) whether Minor D will be required to testify *at all* in the instant trial about a sexual assault that is not charged in the indictment, the government respectfully suggests that a ruling on the motion well in advance of the final pretrial conference is necessary to allow the government to adequately prepare its witnesses if the testimony is allowed (or avoid unnecessary trauma to the children if their testimony about the sexual assaults is excluded).

As the First Circuit has acknowledged, “recounting a sex crime can be a traumatic experience” and “this hardship is compounded when the victim is a child.” *See United States v.*

*Lacouture*, 835 F.3d 187, 192 n.6 (1st Cir. 2016). Preparation for such testimony necessarily includes multiple meetings with the prosecutors and a federal agent – essentially, strangers – to discuss, in detail, events surrounding and including sexual abuse by a trusted adult. The government, for obvious reasons, is not inclined to conduct such meetings until it is confident that the Court will allow such testimony at trial – but cannot wait until the trial filing deadlines and final pretrial conference to do so, given their proximity to the trial date. Accordingly, the government respectfully requests a ruling on its motion as soon as is practically possible.

Respectfully Submitted,

NATHANIEL R. MENDELL  
Acting United States Attorney

Dated: June 22, 2021

By: /s/ Anne Paruti  
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**CERTIFICATE OF SERVICE**

I, Anne Paruti, hereby certify that the foregoing was filed through the Electronic Court filing system and will be sent electronically to the registered participants as identified on the Notice of Electronic filing:

Dated: June 22, 2021

/s/ Anne Paruti  
Anne Paruti  
Assistant United States Attorney